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OGC 70-0424

18 March 1970

MEMORANDUM FOR: Director of Personnel

SUBJECT:

Foreign Divorce Decree: [REDACTED]
[REDACTED]

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REFERENCE:

OGC 69-2213, Memo for D/Pers, dated
26 Nov 69, Subject: Foreign Divorce
Decrees: Consequences and Problems
Confronting Agency Employees

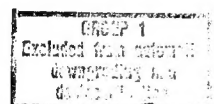
1. You have requested our views regarding the Jamaican divorce involved in the subject case. It is our opinion that the probable consequences and problems associated with foreign divorce decrees as outlined in referent memorandum are so minimal in this case as to be negligible.

2. Referent memorandum treats with the Mexican divorce in particular because it, alone among foreign divorce decrees, has been the subject of considerable litigation and legal commentary. The problems in these cases arise in part because the parties to the divorce, citizens and domiciliaries of one state, obtain a divorce in a foreign state. In the case at hand, a Jamaican citizen has obtained a Jamaican divorce, prima facie evidence that the Jamaican court had jurisdiction over the parties or the subject matter. While a detailed examination of the particular facts behind the subject divorce might raise questions as to its validity, we are of the view that such an examination in this particular case is not warranted.

3. With regard to the preferential naturalization procedures available to a spouse of a U. S. citizen as discussed in paragraph 22 of referent memorandum, we are advised by the Naturalization Service

OGC Has Reviewed

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that it would not look behind the Jamaican divorce of a Jamaican citizen. Therefore, the preferential naturalization procedures would not in this case be denied the alien-spouse because of her Jamaican divorce.

Signed


Office of General Counsel

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OGC:RLB:sab

Distribution:

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1 - DOMESTIC RELATIONS

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1 - Chrono

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